

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 339

July 28, 1995, 9:14 a.m.
Page S-10846 Temp. Record

GIFT BAN/Travel and Lodging at Charitable Political Events

SUBJECT: Congressional Gift Reform . . . S. 1061. Murkowski amendment No. 1874 to McCain modified substitute amendment No. 1872.

ACTION: AMENDMENT REJECTED, 39-60

SYNOPSIS: As introduced, S. 1061, a resolution to provide for congressional gift reform, will amend the standing rules of the Senate to limit the receipt of gifts by Members and congressional employees. Gifts and exemptions are defined, restrictions will be placed on reimbursement for travel and lodging costs, and special limits will be placed on gifts by lobbyists.

The McCain modified substitute amendment would enact compromise provisions which would amend the Senate's rules only and which would largely parallel the gift rules that apply to the executive branch.

The Murkowski amendment to the McCain amendment would add the following: "Notwithstanding any provision of the Rule, the term "gift" does not include permissible travel, lodging and meals at an event to raise funds for a bona fide charity, subject to a determination by the Select Committee on Ethics that participation in the charitable event is in the interest of the Senate of the United States."

Those favoring the amendment contended:

Under this bill, Senators will be able to accept free travel, food, and lodging from any source for political events. They may be paid for attending any golf tournament, ski event, or weekend in the Bahamas if the purpose is to raise money for a candidate or political party. However, they will not be permitted to have their travel and lodging costs picked up for charitable events if those events are substantially recreational in nature. Our colleagues tell us that the public is offended by Members' paid attendance at recreational events that raise money for charity. Their belief is that if the American people see Members having a good time because a "special interest" is paying for it, they will think that those Members' votes are being bought. If true, then the American people will logically reach the same conclusion if they see Members being paid to attend a recreational event to raise money for political

(See other side)

YEAS (39)			NAYS (60)			NOT VOTING (1)	
Republicans (30 or 57%)		Democrats (9 or 20%)	Republicans (23 or 43%)		Democrats (37 or 80%)	Republicans (1)	Democrats (0)
Ashcroft	Hatch	Breaux	Abraham	Akaka	Kennedy	Stevens ²	
Bennett	Helms	Bumpers	Brown	Baucus	Kerrey		
Bond	Hutchison	Dodd	Cohen	Biden	Kerry		
Burns	Inhofe	Dorgan	Craig	Bingaman	Kohl		
Campbell	Jeffords	Heflin	DeWine	Boxer	Lautenberg		
Chafee	Lott	Hollings	Domenici	Bradley	Leahy		
Coats	Mack	Johnston	Faircloth	Bryan	Levin		
Cochran	McConnell	Nunn	Frist	Byrd	Lieberman		
Coverdell	Murkowski	Pryor	Grassley	Conrad	Mikulski		
D'Amato	Nickles		Hatfield	Daschle	Moseley-Braun		
Dole	Packwood		Kassebaum	Exon	Moynihan		
Gorton	Roth		Kempthorne	Feingold	Murray		
Gramm	Simpson		Kyl	Feinstein	Pell		
Grams	Smith		Lugar	Ford	Reid		
Gregg	Thurmond		McCain	Glenn	Robb		
			Pressler	Graham	Rockefeller		
			Santorum	Harkin	Sarbanes		
			Shelby	Inouye	Simon		
			Snowe		Wellstone		
			Specter				
			Thomas				
			Thompson				
			Warner				

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

purposes. Certainly raising money for oneself or one's cronies appears more self-serving than raising money for charity. In both cases Senators enjoy themselves, but in the latter case, we doubt that most people find it a redeeming feature that the beneficiaries of the event are politicians instead of charities. The fact that raising money for charity may be seen as an official function whereas raising money for politicians is a campaign function is hardly relevant. What is relevant in both cases is that the benefit for the Senator is personal. In both cases, the Senator personally benefits from recreation paid for by "special interests."

Some Senators have suggested that attending fundraisers for charity will count as part of a Senator's official duties as long as the Senator's activities are not substantially recreational, and that such attendance can be paid for by private parties. For most larger charities in big cities this interpretation will solve the problem. We are certain that Members will be willing to fly to Los Angeles or New York or other major cities to attend dinners and perhaps speak at charity fundraisers. The cost in time to a Member will be minimal.

Smaller charity events in more remote areas, though, will be severely hurt by this new rule. For example, the sponsor of this amendment recently held a fishing tournament in Alaska to raise money for a mammography machine. Alaska has the third highest rate of breast cancer in the Nation, and before that machine was bought most women in rural Alaskan areas did not have any access to breast cancer screening. This year, another fundraiser will be held to buy a mobile machine that can fit on a cargo transport plane. That mobile machine will be able to reach women in even more remote villages. Of course, with this rule, it will be difficult to attract Senators to Alaska for a fundraiser. Alaska is a nature state--what attracts people to it are its tremendous outdoor recreational opportunities. Senators of course believe that it is a worthy cause to buy a breast cancer machine, but to fly 12 hours to Alaska for a lunch to raise funds for that machine and then fly back is a lot to ask. Senators can raise more money for larger charities by going to big cities which have a lot more money and which are a lot closer. All Alaska has to offer is its matchless natural beauty. Going all the way to Alaska to attend a fundraiser would be a horrible drudgery if one were not allowed to enjoy that natural beauty.

Senators need to be a little more flexible. Their rule may not affect charity fundraising in their States, but it will certainly hurt it in States without major metropolitan areas. In such States, the value of recreational fundraisers is well recognized. We are very willing to let the voters see us at such fundraisers, we are very willing to let them see the good results of those fundraisers, and we are very willing to let them decide, with their votes, if we are being "bought" or if we are helping our States. The Murkowski amendment merits unanimous support, but we know many Senators will vote against it. It will be interesting to see how many of those Senators who vote against the Murkowski amendment will in the future be willing to fly to Alaska for fundraising efforts.

Those opposing the amendment contended:

The logic of our colleagues' arguments are compelling, and we are in great sympathy with the plight in which the Senator from Alaska finds himself. However, we cannot support this amendment. The first argument our colleagues have made is that it does not make sense to limit reimbursement for charitable activities that are engaged in as part of our official duties as Senators and to not also limit our activities that are engaged in as candidates. However, our activities as candidates are not official duties. When acting as candidates for office we are acting as private citizens. A gift to a public official is not the same as a gift to a private citizen.

When acting in an official capacity, we cannot support allowing Senators to attend events that are substantially recreational. The American public is outraged when they see Members cavorting in exotic locales at special interest expense. The appearance that Members can be bought and sold cannot be avoided. Americans become cynical of the political process. Even if they still support their own particular Member, they tend to view all other Members as corrupt. This poisoning of the political process must end. Therefore, we strongly urge the rejection of the Murkowski amendment.